

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL MEMORANDUM

HB 187 - SB 485

February 27, 2023

SUMMARY OF BILL AS AMENDED (004348): Authorizes, in a civil action filed against an owner and operator of an uninsured motor vehicle in which comparative fault is an issue and an insurance company served with a complaint alleges in its answer that a person not a party to the suit caused or contributed to the injury or damage for which the plaintiff seeks recovery, the plaintiff to: a) amend the complaint to add the person as a defendant and cause process to be issued for that person, or; (b) institute a separate action against that person by filing a summons and complaint. Establishes conditions and time limits for such actions.

FISCAL IMPACT OF BILL AS AMENDED:

NOT SIGNIFICANT

Assumptions:

- The proposed legislation closely mirrors the current options available to a plaintiff in a civil action in which comparative fault is an issue and the defendant alleges that a person not a party to the suit caused or contributed to the injury or damage for which the plaintiff seeks recovery, pursuant to Tenn. Code Ann. § 20-1-119(a).
- Authorizing the plaintiff to take the same actions in such cases if an insurance company alleges that a person not a party to the suit caused or contributed to the injury or damage for which the plaintiff seeks recovery is not estimated to significantly impact the total number of civil actions filed or alter or lengthen such actions.
- Any potential impact on awards and damages will be incurred by private parties.
- Any fiscal impact to state and local courts is estimated to be not significant.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

Krista Lee Carsner, Executive Director